



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

v. *Eldredge*, 56 Ohio St. 87, 46 N. E. 638. "Commencement" of an action is a term of art in the law of procedure, and consequently the question of when an action based upon an amended pleading is commenced, is governed by the Iowa law. *Bank of United States v. Donnally*, *supra*. Once admitting the propriety of deciding this question by the *lex fori*, the substantive law of Illinois as to limitation is in no way violated, since the action is begun within the year. Therefore the decision of the principal case seems correct.

CONSTITUTIONAL LAW — DUE PROCESS OF LAW — SERVICE UPON A CORPORATION OUTSIDE OF STATE. — Under a statute in South Dakota, providing for service of process upon corporations, in an action for damages for breach of contract to convey land, service was made on the defendant, a domestic corporation of South Dakota, by delivery of summons and complaint at the Iowa residence of the treasurer, the other officers of the corporation having resigned. *Held*, that the service was due process of law to support a default judgment. *Straub v. Lyman Land & Investment Co.*, 141 N. W. 979, s. c. 138 N. W. 957 (S. D.).

Interpreting the statute as authorizing service "within or without" the state in such a case, the court argues that a domestic corporation is always resident and within the jurisdiction of the state. Hence service of process amounts to a mere notice of an action to give an opportunity to defend the same. Any reasonable means of notification may be authorized, since there is no attempt to cite into court any individual outside of the court's jurisdiction. The conclusion of the court, however, may be reached in a less involved way. Corporations are artificial units created by legislative act. Any state may prescribe its own terms for admitting foreign corporations within its territorial limits. *Philadelphia Fire Association v. New York*, 119 U. S. 110; *Pembina Mining Co. v. Pennsylvania*, 125 U. S. 181. By statute the powers and control of domestic corporations may be revised by subsequent legislation. And a reasonable method of service may therefore be established by the state as a term of the continued existence of a domestic corporation. Now provisions for service upon a corporation are in substance provisions for substituted service. Hence service by publication or by mailing a copy of summons to the office of the corporation has been upheld as reasonable. *Clearwater Merc. Co. v. Roberts, etc.* *Shoe Co.*, 51 Fla. 176, 40 So. 436; *Nelson v. C. B. & A. R. Co.*, 225 Ill. 197, 80 N. E. 109. Consequently the power of the state should extend to providing such reasonable procedure for creatures of its own legislature, as was provided in the principal case.

CONSTITUTIONAL LAW — PRIVILEGES AND IMMUNITIES: CLASS LEGISLATION — CITIES CLASSIFIED FOR PURPOSES OF ELECTION LAW. — The Pennsylvania constitution prohibited "local or special" legislation regulating the holding of elections. A statute provided for the government of cities having less than a given population by a commission to be chosen by a special process of non-partisan election. *Held*, that the statute is constitutional. *Commonwealth ex rel. Jackson v. Corl*, 61 Pitts. Leg. J. 513 (Pa. C. P.); *Commonwealth ex rel. Kessler v. Moore*, 61 Pitts. Leg. J. 481 (Pa. C. P.). *Contra*, *Commonwealth ex rel. Vannatta v. Fayette County Commissioners*, 61 Pitts. Leg. J. 465 (Pa. C. P.).

A law is general if it applies one rule to all like cases: it is local or special only if it treats differently cases between which there is no "substantial distinction having a reference to the subject matter" of the law. See *State ex rel. Richards v. Hammer*, 42 N. J. L. 435, 440; *People ex rel. Davis v. Nellis*, 249 Ill. 12, 23, 94 N. E. 165, 170. What are substantial distinctions between cases justifying different legal results can be determined only by the judgment born of experience. A court, confronted with this question, can do no more